BEFORE THE ZONING IN RE: COMMISSIONER OF PETITION FOR ZONING VARIANCE \* \* BALTIMORE COUNTY SPARROWS POINT BOULEVARD 15th Election District 7th Councilmanic District \* CASE NO. 91-23-A BETHLEHEM STEEL CORPORATION, Petitioner

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

\* \* \* \* \* \* \*

Petitioner Bethlehem Steel Corporation ("BSC") herein requests variances from Section 258.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit front, side and rear yard setbacks of as close as zero 0 ft. in lieu of the required 25 ft. front yard and 30 ft. side and rear yards setbacks, as more particular described in Petitioner's Exhibit 2 (Petitioner's Exhibit 2 is a modification of Petitioner's Exhibit 1, the site plan filed in this case.) The Petitioner appeared, testified and was represented by John B. Howard and Robert A. Hoffman, Esquire. Petitioner was supported in its testimony by C. W. Campbell, Jr., Esquire, Mr. Christopher R. Hawksley and Mr. William Hoffman. There were no Protestants. The Petitioner herein is requesting the subject variances

to permit the subdivision of a small portion of BSC's Sparrows Point plant to house a "hot dip coating" line. The lot is predominantly improved by an existing structure with some additional land to be used for operation of the line. (See aerial photograph labeled Petitioner's Exhibit 3).

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

August 24, 1990



Robert Hoffman, Esquire Venable, Baetjer and Howard 210 Allegheny Avenue Towson, Maryland 21204

RE: Petition for Zoning Variance Case No. 91-23-A Bethlehem Steel, Petitioner

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

very truly yours,

J. Robert Haines Zoning Commissioner

cc: Vincent J. Naglieri, 8913 Chesapeake Ave. 21219 W.W.Hoffman, Jr., Whitman Requardt & Assoc. 2315 St. Paul St., 21218 Robert L. Hoopman, 2439 Loloa Dr., Kingsville, Md. 21087 Charles W. Campbell, Jr., Martin Tower, Bethlehem, PA 18016 Christopher R. Hawksley

Hot dip coating is a process which applies zinc metallic coatings to coils of flat rolled steel sheet to improve its corrosion resistance. It is anticipated that upon completion, the line will be capable of coating approximately 260,000 tons of sheet steel annually, thus producing that amount of high quality, light gauge galvanized or galvalume product primarily for use in the construction industry.

Mr. Hawksley, the Director of Financial Planning for Bethlehem Steel testified that in order for BSC to maintain its leadership in coated products for the construction industry, this hot dip coating line is essential. Specifically on the variance request, Mr. Hawksley testified that BSC must have this hot dip coating line in a building complex which is shared with other types of coating lines in order to share costs, access to incoming utilities, materials, testing facilities and shipping facilities among the different lines. The building complex, a portion of which is located on the proposed lot, houses several coating lines, thus fulfilling that requirement.

Mr. Hawksley also testified that the subdivision into a separate lot is required so that BSC may finance the equipment that is being purchased for the facility. Other financing which currently encumbers the Sparrows Point plant prohibits the creation of further encumbrances. Portions of the proposed hot dip coating line, once in place, become fixtures and part of the land. Creating a new lot of record and transferring

PETITION FOR ZONING VARIANCE to the zoning commissioner of Balitimore county: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section \_\_\_258\_1\_to permit front, rear and side yard setbacks of as close as zero (0) feet in lieu of the required twenty-five (25) foot front yard and thirty (30) foot side and rear yard setbacks.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) MAP SE 7G

To be provided at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County, I/We do solemnly declare and affirm, under the penalties of perjury, that I/we

Signature  Address  (Type or Print Name)  City and State  Signature  (Type or Print Name)  Signature  (Type or Print Name)  Signature  701 E. Third St. 215/694-2513  Address  Phone No.  Bethlehem, PA 18016-7699  City and State  Name, address and phone number of legal owner, contract purchaser or representative to be contacted  Towson, Maryland 21204  City and State  Name.		are the legal owner(s) of the property which is the subject of this Petition.
(Type or Print Name)  (Type or Print Name)  (Type or Print Name)  Address  (Type or Print Name)  (Type or Prin	ntract Purchaser:	
Signature  Address  City and State  Corney for Petitioner:  Ohn B. Howard, Esquire  (Type or Print Name)  Tope or Print Name)  City and State  Tope or Print Name  Tope or Print Name  Signature  Tope or Print Name  Tope or Prin	(Type or Print Name)	(Type or Print Name)
City and State  City and State  Signature  Conney for Petitioner:  Cohn B. Howard, Esquire  Address  City and State  Type or Print Name)  Signature  701 E. Third St. 215/694-2513  Address  Phone No.  Bethlehem, PA 18016-7699  City and State  Name, address and phone number of legal owner, contract purchaser or representative to be contacted  Towson, Maryland 21204  City and State  City and State  John B. Howard, Esquire  Name  210 Allegheny Avenue  Towson, Maryland 21204  City and State  ORDERED By The Zoning Commissioner of Baltimore County, this day  1920, that the subject matter of this petition be advertised, as equired by the Zoning Law of Bartimore County, in two newspapers of general circulation behave the Zoning but Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore County, that property be posted, and that the public hearing be had before the Zoning and that the public hearing be had before the Zoning and that the public hearing be had before the Zoning and that the public hearing be had before the Zoning and that the public Building in Towson, Bartimore		********
City and State  Signature  Ton B. Howard, Esquire  (Typelor Paint Name)  Spinature  Tourney for Petitioner:  Ton B. Howard, Esquire  Address  Bethlehem, PA 18016-7699  City and State  Name, address and phone number of legal owner, contract purchaser or representative to be contacted  Towson, Maryland 21204  City and State  Towson, Maryland 21204  City and State  Address  Towson, Maryland 21204  City and State  Towson, Maryland 21204  City and State  Towson, Maryland 21204  City and State  Towson, Maryland 21204  Address  Towson, Maryland 21204  Towson, Maryland 21204  Address  Phone No.  Towson, Maryland 21204  Towson, Mar		
Address Phone No.  Bethlehem, PA 18016-7699  City and State  Name, address and phone number of legal owner, contract purchaser or representative to be contacted  John B. Howard, Esquire  Name, address and phone number of legal owner, contract purchaser or representative to be contacted  John B. Howard, Esquire  Name  210 Allegheny Avenue  City and State  Name  210 Allegheny Avenue  Towson, Maryland 21204  Address  Phone No.  ORDERED By The Zoning Commissioner of Baltimore County, this day  1920, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore County, that property be posted, and that the public hearing be had before the Zoning Baltimore  Address	City and State	Signature
Toyson, Maryland 21204 City and State  Name, address and phone number of legal owner, contract purchaser or representative to be contacted  John B. Howard, Esquire  Name, address and phone number of legal owner, contract purchaser or representative to be contacted  John B. Howard, Esquire  Name  210 Allegheny Avenue  City and State  Name  210 Allegheny Avenue  Towson, Maryland 21204  City and State  Name  210 Allegheny Avenue  Towson, Maryland 21204  Regulared State  ORDERED By The Zoning Commissioner of Baltimore County, this day  1920, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore	itorney for Petitioner:	
Signature  City and State  210 Allegheny Avenue Address  Towson, Maryland 21204  City and State  John B. Howard, Esquire  Name 210 Allegheny Avenue Towson, Maryland 21204  City and State  Name 210 Allegheny Avenue Towson, Maryland 21204  City and State  Name 210 Allegheny Avenue Towson, Maryland 21204  Corper By The Zoning Commissioner of Baltimore County, this  CRDERED By The Zoning Commissioner of Baltimore County, this day  1920, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posed, and that the public hearing be had before the Zoning but Baltimore County, that property be posed, and that the public hearing be had before the Zoning but Baltimore County, that property be posed, and that the public hearing be had before the Zoning but Baltimore County, that property be posed, and that the public hearing be had before the Zoning but Baltimore County, that property be posed, and that the public hearing be had before the Zoning but Baltimore County, that property be posed.	ohn B. Howard, Esquire	701 E. Third St. 215/694-2513  Address Phone No.
Towson, Maryland 21204  City and State  Name  210 Allegheny Avenue  Towson, Maryland 21204  Address  ORDERED By The Zoning Commissioner of Baltimore County, this  1970, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore County, that property in Room 106, County Office Building in Towson, Baltimore	Al Shard	
Name 210 Allegheny Avenue Towson, Maryland 21204 823-4111  Address Phone No.  ORDERED By The Zoning Commissioner of Baltimore County, this day  1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore County, in Room 106, County Office Building in Towson, Baltimore	210 Allegheny Avenue	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted
ORDERED By The Zoning Commissioner of Baltimore County, this		
that the subject matter of this petition be advertised, as equired by the Zohing Law of Bastimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore County, that property in Room 106. County Office Building in Towson, Baltimore	Attorney's Telephone No.: 823-4111	210 Allegheny Avenue Towson, Maryland 21204 823-4111 Address Phone No.
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equired by the Zoning Law of Bastimore County, in two newspapers of general and before the Zoning but Baltimore County, that property be posted, and that the public hearing be had before the Zoning but Baltimore County in Room 106. County Office Building in Towson, Baltimore		
County, on the	equired by the Zoning Law of Bantimore Count but Baltimore County, that property be posted,	and that the public hearing be had before the Zoning 106. County Office Building in Towson, Baitimore
м. //	County, on theday of	Lyugust, 19 7, at 7 o'clock
	<i>М</i> .	

title to a separate company would be an exception to the current prohibitions.

It was noted for the record in this case that waivers from the subdivision regulations were granted on July 19, 1990 and that similar waivers and setback variances were granted in 1983 for a coating facility (see Zoning Commissioner Case No.: 89-138-A.)

Section 307.1, B.C.Z.R. states that the Zoning Commissioner and/or Deputy Zoning Commissioner shall have the power to grant variances from an area regulation where strict compliance with the Zoning Regulations for Baltimore would result in practical difficulty or unreasonable hardship.

In reviewing the Petition, it must be kept in mind that "the standard for granting a variance ... is ... whether strict compliance with the regulation would result in practical difficulty or unreasonable hardship; and that it should be granted only if in strict harmony with the spirit and intent of the zoning regulations; and only in such manner as to grant relief without substantial injury to the public health, safety and general welfare." McClean v. Soley 270 Md 208 (1973).

It is clear from the testimony presented that the hot dip coating line as proposed must, in order to finance the equipment, be on a separate lot. Further, in order to operate the hot dip coating facility properly and efficiently it must be located predominantly within an existing building that

contains other coating facilities. I therefore find that if the required variances are not granted that a practical difficulty would result. In fact, it is obvious that without the variances, there can be no new facility. Also, since the proposed subdivision is located within the Sparrows Point plant, there will be no substantial injury to the public health, safety or general welfare and the granting of the variances will be in strict harmony with the spirit and intent

of the zoning regulations.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24 day of (Lunc), 1990 that the Petition for Zoning Variances from Section 258.1 to permit front, side and rear building setbacks of as close as 0 ft. in lieu of the required 25 foot front yard and 30 ft. side and rear yard setbacks is hereby granted subject, however, to the following restriction and in accordance with Petitioner's Exhibit 2:

1. The Petitioner may apply for its building and/or occupancy permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Zoning Commissioner for Baltimore

WHITMAN, REQUARDT AND ASSOCIATES 2315 Saint Paul Street Baltimore, Maryland 21218

November 14, 1990

### BETHLEHEM STEEL CORPORATION SPARROWS POINT, MARYLAND ENGINEERING DESCRIPTION FOR ZONING VARIANCE TO O SETBACK

COMMENCING at the southeasterly corner of the southwestern extremity of the right of way of Sparrows Point Boulevard, a road 100 feet in width, the said point being the point of beginning of a deed by the Bethlehem Steel Corporation to the State of Maryland dated July 14, 1975 and recorded in the land records of Baltimore County, Maryland in liber 5574, at folio 717, thence South 76°27'51" West 1590.22 feet, to a point 2 feet south and 4.75 feet east of column EB-7, situate in the Fifteenth Election District of Baltimore County, Maryland, thence from the POINT OF BEGINNING so fixed the following 20 courses and distances;

- South 83\*56'30", West 173.92 feet;
- North 06°03'30", West 40.00 feet;
- North 83°56'30", East 60.00 feet;
- North 06°03′30", West 82.23 feet;
- South 83°56'30", West 25.35 feet; North 06°03'30", West 189.95 feet;
- South 83°56'30", West 91.08 feet;
- North 06°03'30". West 84.01 feet: North 83°56'30", East 116.43 feet;
- North 06°03'30", West 448.03 feet;
- North 83°56'30", East 113.92 feet;
- South 06\*03'30", East 114.02 feet; North 83°56'30". East 40.00 feet;
- South 06°03'30", East 28.00 feet;
- South 83°56'30". West 40.00 feet:
- South 06°03'30", East 56.01 feet; North 83°56'30", East 40.00 feet;
- South 06\*03'30", East 111.93 feet;
- South 83°56'30", West 40.00 feet;
- 20) South 06°03'30", East 534.26 feet; to the place of Beginning, containing 118770 square feet or 2.727 acres of land.

ED2/Zoning.SP

WHITMAN. REQUARDT and ASSOCIATES 2315 Saint Paul Street Baltimore, Maryland 21218

July 16, 1990 90 FC 9

BETHLEHEM STEEL CORPORATION SPARROWS POINT, MARYLAND ENGINEERING DESCRIPTION FOR

ZONING VARIANCE TO O SETBACK COMMENCING at the southeasterly corner of the southwestern extremity of the right of way of Sparrows Point Boulevard, a road 100 feet in width, the said point being the point of beginning of a deed by the Bethlehem Steel Corporation to the State of Maryland dated July 14, 1975 and recorded in the land records of Baltimore County, Maryland in liber 5574, at folio 717, thence South 66°46'52" West 1650.16 feet, to a point 2 feet south and 4.75 feet east of column EB-17, situate in the Fifteenth Election District of Baltimore County, Maryland, thence

- from the POINT OF BEGINNING so fixed the following 12 courses and distances; North 06°03'30", West 928.40 feet;
- North 83°56'30", East 21.23 feet;
- North 06°03'30", West 138.25 feet; South 83°56'30", West 21.23 feet;
- North 06°03'30", West 57.51 feet;
- South 83°56'30", West 113.92 feet
- South 06°03'30", East 195.76 feet;
- South 83°56'30", West 116.43 feet:
- South 06°03'30", East 452.00 feet;
- North 83°56'30", East 116.43 feet; 11) South 06°03'30", East 476.40 feet;

183,627 square feet or 4.216 acres of land.

12) North 83°56'30" East, 113.92 feet to the place of Beginning, containing

oning Commissioner of Baltimore

\*DATE 11-18-91

ED/Zoning.SP

WHITMAN, REQUARDT and ASSOCIATES 2315 Saint Paul Street Baltimore, Maryland 21218

July 16, 1990 90 FC 9

BETHLEHEM STEEL CORPORATION SPARROWS POINT, MARYLAND ENGINEERING DESCRIPTION FOR ZONING VARIANCE TO O SETBACK

COMMENCING at the southeasterly corner of the southwestern extremity of the right of way of Sparrows Point Boulevard, a road 100 feet in width, the said point being the point of beginning of a deed by the Bethlehem Steel Corporation to the State of Maryland dated July 14, 1975 and recorded in the land records of Baltimore County, Maryland in liber 5574, at folio 717, thence South 66°46'52" West 1650.16 feet, to a point 2 feet south and 4.75 feet east of column EB-17, situate in the Fifteenth Election District of Baltimore County, Maryland, thence from the POINT OF BEGINNING so fixed the following 12 courses and distances;

- North 06°03'30", West 1009.55 feet:
- North 83°56'30", East 21.23 feet;
- North 06°03'30", West 57.10 feet;
- South 83°56'30", West 21.23 feet;
- North 06°03′30", West 57.51 feet;
- South 83°56'30", West 113.92 feet; South 06°03'30", East 195.76 feet;
- South 83°56'30", West 116.43 feet;
- South 06°03'30", East 452.00 feet;
- 10) North 83°56'30", East 116.43 feet;
- 11) South 06°03'30", East 476.40 feet;
- 12) North 83°56'30" East, 113.92 feet to the place of Beginning, containing 181,903 square feet or 4.176 acres of land.





Dennis F. Rasmussen
County Executive

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner

DATE 8-17-90

Bethlehem Steel Corporation 701 E. Third Street Bethlehem, PA 18016-7699

Re: Petition for Zoning Variance

ATTN: A. M. WELLER

CASE NUMBER: 91-23-A W/S Sparrows Point Boulevard, 1780' W c/l of Sparrows Point Boulevard 15th Election District - 7th Councilmanic Petitioner(s): Bethlehem Steel Corporation HEARING: THURSDAY, AUGUST 23, 1990 at 9:00 a.m.

## Gentlemen:

Please be advised that  $\frac{107.20}{1}$  is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & PUST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

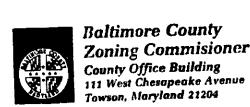
Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

ZONING COMMISSIONER

JRH:gs

cc: John B. Howard, Esq.



PRICE OTY FUBLIC HEARING FEES 020 -ZONING VARIANCE (OTHER) \$175.00 TOTAL: \$175.00 LAST NAME OF OWNER: BETH. STEEL CORP.

> 04A04#0035MICHRC BA C003:21PM07-17-90

H9100019

Please make checks payable to Baltimore CountYEXT BUSINESS DAY

CERTIFICATE OF POSTING

EPARTMENT OF BALTIMORE COUNTY

8/3/90 Vorience Petitioner: Both STool Corp Location of property: W/S SPETTOW PT. Blud. 1700' W/SP.PT. Blud. Location of Signe: Focing Sporrow PT. 13/vd., opprov. 20' Fr. 200 dway on proporty of Patitions Remarks: Attacked To chair fing Force - No post used Posted by Maria Date of return: 8/10/60

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner

July 18, 1990



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance CASE NUMBER: 91-23-A W/S Sparrows Point Boulevard. 1700' W c/l of Sparrows Point Boulevard 15th Election District - 7th Councilmanic Petitioner(s): Bethlehem Steel Corporation HEARING: THURSDAY, AUGUST 23, 1990 at 9:00 a.m.

Variance to permit front, rear and side yard setbacks of as close as zero feet in lieu of the required 25 foot front yard and 30 foot side and rear yard setbacks.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permi during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines Zoning Commissioner of Baltimore County

cc: Bethlehem Steel Corporation

John B. Howard, Esq.

# CERTIFICATE OF PUBLICATION

NOTICE OF HEARING The Zoning Commissioner of Balti-more County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as

follows: Putition for Zuning Variance CASE NUMBER: 91-23-A W/S Sparrows Point Boulevard, 1700' W c/1 of Sparrows Point Boulevard 15th Election District

(301) 887-3353

HEARING: THURSDAY, August 23, 1990 at 9:96 a.m. Variance to permit front, rear and side yard setbacks of as close as zero feet in lieu of the required 25 foot front yard and 30 foot side and rear vard setbacks. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoring Commissioner will, however, entertain any request for a - etay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES

Baltimore County

(301) 887-3353

J. Robert Haines Zoning Commissioner

Zoning Commissioner

Office of Planning & Zoning

John B. Howard, Esquire

210 Allegheny Avenue

Towson, MD 21204

Dear Mr. Howard:

requested zoning.

scheduled accordingly.

JED: jw

Enclosures

cc: Mr. A. M. Weller

Bethlehem Steel Corp.

Bethlehem, PA 18016-7699

701 E. Third Street

August 9, 1990

The Zoning Plans Advisory Committee has reviewed the plans submitted

with the above referenced petition. The following comments are not

intended to indicate the appropriateness of the zoning action

requested, but to assure that all parties are made aware of plans or

problems with regard to the development plans that may have a bearing

on this case. Director of Planning may file a written report with the

Zoning Commissioner with recommendations as to the suitability of the

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If

similar comments from the remaining members are received. I will

forward them to you. Otherwise, any comment that is not informative

will be placed in the hearing file. This petition was accepted for

filing on the date of the enclosed filing certificate and a hearing

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO

MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY OUESTIONS

Chairman

Zoning Plans Advisory Committee

REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

RE: Item No. 19, Case No. 91-23-A

Petitioner: Bethlehem Steel Corp Petition for Zoning Variance

Towson, Maryland 21204

# Dundalk Eagle

4 N. Center Place P. O. Box 8936 Dundalk, Md. 21222

**19** 90 August 2,

THIS IS TO CERTIFY, that the annexed advertisement of Balto. Co., Zoning Office - P.O. #0106240 Req # M44299 - Notice of Hearing - 79 lines @ \$39.50. was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week successive weeks before the

19<sup>90</sup>; that is to say, 3rd day of the same was inserted in the issues of August 2, 1990

Kimbel Publication, Inc.

By Kindul Olke

Dennis F. Rasmussen
County Executive

MAR & PARIS The Zoning Commissioner of Settimore County, by authority of the Zoning Act and Regulations of Bettimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeate Avenue in Towson, Maryland 21204 as follows: Petition for Zoning Variance Case number: 91-23-A W/S Sperrows Point Boule-vard, 1700' W c/l of Sparrows Point Boulevard 15th Election District 7th Councilmanic Petitioner(s): Bethlehem Steel Corp. Hearing Date: Thursday, Aug. 23, 1990 at 9:00 a.m. Variance: to permit front, rear and side yard setbacks of as close as zero feet in lieu of the nequired 25 foot front yard and 30 foot side and rear yard setbacks. In the event that this Petition is granted, a building permit may be appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

## CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of \_\_\_\_ successive 

\$ 42.70

THE JEFFERSONIAN, Streke Orlow

Zoning Commisioner County Office Building (11 West Chesapeake Avenue owson. Maryland 21204

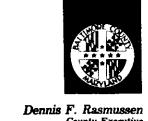
receipt Account: R-001-6150 3261

PUBLIC HEARING FEES 080 POSTING SIGNS / ADVERTISING 1 X \$107.20

TOTAL: \$107.20 LAST NAME OF OWNER: BETH. STEEL CORP.

> 94A94#0060MICHRC PA C009:33AMD8-23-90

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner



Your petition has been received and accepted for filing this 18th day of July, 1990.

> J. Robert frince ZONING COMMISSIONER

Petitioner: Bethlehem Steel Corp, et ux Petitioner's Attorney: John B. Howard

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

August 10, 1990



Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item number 19.

Very truly yours,

Traffic Engineer Associate II

Michael S. Flanigan

MSF/lvw

11)\$ 20 199<del>0</del> ZONING OFFICE

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner

Robert A. Hoffman, Esquire Venable, Baetjer and Howard 210 Allegheny Avenue P.O. Box 5517 Towson, Maryland 21285-5517

> RE: Case No. 91-23-A Bethlehem Steel Corporation, Petitioner

Dear Mr. Hoffman:

I am in receipt of your letter dated November 15, 1990 with attached plats and zoning description. I have reviewed the new plats dated November 14, 1990 indicating a smaller net area for the tract associated with the variances which was granted on August 24, 1990.

The new area does not appear to be in conflict with the spirit and intent of the August 24, 1990 Order, and there is no change in the degree of impact upon the health, safety and general welfare of the community. Therefore, it is my intention to accept this revised plat dated November 14, 1990 and now marked "Revised Petitioner's Exhibit No. 2". The new description will also be incorporated into this case file and the Petitioner, Bethlehem Steel Corporation, is permitted to move forward with the revised area for the variances granted in case No. 91-23-A.

If you have any questions, feel free to contact me.

Baltimore County Fire Department 700 East Joppa Road, Suite 901 Towson, Maryland 21204-5500 (301) 887-4500

Paul H. Reincke

JULY 19, 1990

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204



RE: Property Owner: BETHLEHEM STEEL CORP.

W/S SPARROWS POINT BOULEVARD Location:

Zoning Agenda: JULY 18, 1990 Item No.:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Fird Prevention Bureau Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner DATE: August 22, 1990

Pat Keller, Deputy Director

Office of Planning and Zoning

SUBJECT: Bethlehem Steel Corporation, Item No. 19

The Petitioner requests a Variance to permit front, rear, and side yard setbacks of as close as zero (0) ft. in lieu of the required 25 ft. front yard and 30 ft. side and rear yard setbacks.

The requested variances apply to existing conditions on a parcel that is located within the confines of the Bethlehem Steel Corporation's industrial operation; therefore, staff offers no

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM19/ZAC1

VENABLE, BAETJER AND HOWARD ATTORNEYS AT LAW

BALTIMORE, MD WASHINGTON, D. C. McLEAN, VA ROCKVILLE, MD BEL AIR, MD

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS 210 ALLEGHENY AVENUE P.O. BOX 5517 TOWSON, MARYLAND 21285-5517 (301) 823-41(1 FAX (301) 821-0:47

RICHARD M. VENABLE (1839-1901) EDWIN G. BAETJER (1868-1945) CHARLES MCH. HOWARD (1870-1942) ROBERT A. HOFFMAN

November 15, 1990

BALTIMORE COUNTY, MARYLAND

J. ROBERT HAINES, ZONING COMMISSONER, DEPARTMENT ZONING

PROPERTY OWNER: Bethlehem Steel Corporation

of Sparrows Point Boulevard

LOCATION: W/S Sparrows Point Blvd, 1,700' W centerline

( ) RAMPS (degree slope)

( ) CURB CUTS

( ) SIGNAGE

CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF

INTER-OFFICE CORRESPONDENCE

JULY 20, 1990

PERMITS & LICENSES CORP.

ZONING TIEM #: 19

ELECTION DISTRICT: 15th

( ) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF

( ) PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE

COUNCILMANIC DISTRICT: 7th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE

MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE

SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT

M A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN.

SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE

( ) A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING

( ) STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 ( BALTIMORE COUNTY BUILDING CODE).

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE,

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE

USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE

OTHER - Since no elevations are shown on site plan, review section 516.0 of

Council Bill #158-88 for possible application. (SEE ATTACHED SHEET

JL 2 4 1990

A 1 40 40 40 44

SUBJECT:

HANDICAPPED.

( ) NUMBER PARKING SPACES

BALTIMORE COUNTY BUILDING CODE.

TO COMPLY TO NEW USE REQUIREMENTS.

TOWSON, MARYLAND 21204 - PHONE - 887-3900.

CHECK ITEM APPLICABLE TO THIS PLAN

( ) PARKING LOCATION

( ) BUILDING ACCESS

REQUIRED.

SUBMITTED.

494-9162

FOR ADDITIONAL COMMENTS

HAND-DELIVERED

J. Robert Haines Zoning Commissioner for Baltimore County 1st Floor, County Office Building Towson, Maryland 21204

> Re: Case No: 91-23-A Bethlehem Steel Corporation, Petitioner

Dear Mr. Haines:

As you will recall, Bethlehem Steel Corporation requested certain variances to permit the subdivision of a small portion of Bethlehem's Sparrows Point Plant to house a hot-dip coating line. (Hot-dip coating is a process which applies to zinc metallic coatings to coils of flat rolled steel sheet to improve its corrosion resistance.) The lot as shown on Petitioner's Exhibit 2, is predominantly improved by an existing structure with some additional land to be used for operation of the line.

Further discussions with the manufacturers of the equipment involved in the hot-dip coating facility have resulted in a minor reconfiguration of the lot and an overall reduction of the size of the lot as shown on the attached plat labeled Revised Petitioner's Exhibit 2.

The setbacks requested in the referenced case permitted front, side and rear yard setbacks of as close as 0 feet in lieu of the required 25 foot front yard and 30 foot side and rear yard setbacks. The minor reconfiguration of this lot and the overall reduction in size of the lot do not effect the relief requested in the case. Most importantly, however, a minor modification to the lot configuration

COMMENTS CONTINUED FROM ITEM #19

exterior walls in accordance with Table 906.3

- · . .

Section 501.1.1 appears to be applicable with regard to height and area limitations. If property lines are as illustrated on site plan no openings could be allowed in

Exterior wall fireresistance rating of 3 hour may be required (use group F-1) for exposure to fire from both sides depending on property line locations (906.2)

Any structures being removed will require razing permits to be removed from tax rolls.

· · 91-23A

DIEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET		
NAME  VINCENT J. NAGLIERI  WW HOFFMAN JR  ROBBET L. HOOPMAN  Charles W. Campbell Jr  Charles W. Campbell Jr	ADDRESS  8913 CHESAPEANE AVE ZIZI9  WHITMAN REQUEST & ASDR  Z315 ST PAUL ST - BALTO  1439 LOLON DR. KINGSVILLE MO ZAOP?  Martin Towner, Bathlehem PA 18016	

J. Robert Haines November 15, 1990 Page 2

will not conflict with the spirit and intent of the granting of these variances. There is absolutely no increased risk of adverse impact by virtue of this minor change. The lot is still within the confines of the Sparrows Point facility, and lot is still being created merely to finance the hot-dip coating equipment.

Therefore, it is respectfully requested that this revised Petitioner's Exhibit 2 and a revised zoning description be accepted as revised exhibits in this case, and that you indicate your agreement to their inclusion by counter-signing this letter below.

Enclosure

J. ROBERT HAINES ZONING COMMISSIONER FOR BALTIMORE COUNTY

